1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

Stephen J. Nutting
Law Office of Stephen J. Nutting
6th Floor Marianas Business Plaza
P.O. Box 5093 Saipan, MP 96950
Michael Chen
Michael Chen Law Offices
7330 Edna Ave.
Las Vegas, NV 89117
Pro Hac Vice
Attorneys for IPI (CNMI) LLC and Howyo Chi

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN MARIANA ISLANDS

JOSHUA GRAY,

## Plaintiffs,

v. IMPERIAL PACIFIC INTERNATIONAL (CNMI), LLC,

## **Defendant**

Case No. 1:19-cv-00008

DECLARATION OF NIKKI ADA ISO DEFENDANT'S RESPONSE TO ORDER TO SHOW CAUSE AGAINST IPI AND HOWYO CHI

Hearing Date: April 30, 2024 Hearing Time: 10:00 AM

Judge: Hon. Ramona V. Manglona

- 1. I am over the age of eighteen, competent to make this declaration, and all statements made in this declaration are based on my personal knowledge unless specifically indicated otherwise.
- 2. At all times relevant to this matter, I was and still is employed by IPI (CNMI) LLC. (hereinafter referred to as "IPI"). I currently serve as the Security Officer of IPI.

- 3. Around November 2023, staff from Clear Management obtained the liquor key and began conducting an inventory of the liquor. During this process, Clear Management left the liquor unattended in the casino lobby, resulting in the disappearance of two bottles of McCallan.
- 4. IPI immediately instructed Clear Management to secure the remaining liquor. In response, Clear Management staff took control of the liquor and stored it in an office behind Tapochau Bar on the IPI gaming floor. They removed the padlock previously placed by IPI and installed their own padlock, preventing anyone from IPI from accessing the liquor.
- 5. Clear Management staff informed me that they had court authorization to sell IPI's assets and that IPI should cooperate with Clear Management in all matters.
- 6. When the police were called to report the stolen liquor, the officer stated that Clear Management should have been the one to report the theft since they were in possession of the liquor. Clear Management noticed the theft, but there was no indication that IPI could have known the liquor was stolen, as there were no signs of forced entry. Clear Management had the only key to the padlock and control over the liquor inventory. The police officer handed the Blue Card (case number) to Clear Management staff.
- 7. IPI's security personnel are responsible for safeguarding IPI's items and properties. They must conduct regular security checks around the perimeter during their shifts and maintain a logbook detailing tasks performed. Additionally, they must inform their superiors and central command center (CCC) of escort requests, including details such as names, locations, and the purpose of the escort. Security personnel must remain with their escorts until the task is completed.

I declare under penalty of perjury that the foregoing is true and correct. Executed in Saipan, Commonwealth of the Northern Mariana Islands on the 16th day of April, 2024.

X:	_/s/
Nikki Ada	